

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JIM MAXWELL and KAY MAXWELL,
individually and as guardians of TREVER
ALLEN BRUCE and KELTEN TANNER
BRUCE, et al.

Plaintiff,

v.

COUNTY OF SAN DIEGO; et al.,

Defendants.

Case No. 07cv2385 JAH (WMc)

**ORDER FOLLOWING EARLY
NEUTRAL EVALUATION
CONFERENCE, SETTING RULE 26
COMPLIANCE AND NOTICE OF
CASE MANAGEMENT CONFERENCE**

On August 6, 2008, the Court convened an Early Neutral Evaluation Conference in the above entitled action. Appearing for Plaintiff were Steven Coopersmith, Todd Thibodo and Chuck LaBella. Appearing for Defendant County of San Diego were Morris Hill and Louise Elder. Appearing for Defendant Alpine Fire was Kevin Osterberg.

Settlement could not be reached in the case at this time.

The Court discussed compliance with Fed. R. Civ. P. 26 and based thereon, issues the following orders:

1. The Rule 26(f) conference shall be completed before on or before **September 2, 2008**;
2. Both the joint discovery plan and joint annotated timeline shall be lodged with Magistrate Judge McCurine, Jr. on or before **September 15, 2008**. Regarding each

witness, the discovery plan will include the name, most current address, most current phone number, and a brief description of the subject matter of his/her testimony. The discovery plan will also include the anticipated dates for the completion of both non-expert discovery and expert discovery; and,

3. The date of initial disclosure pursuant to Rule 26(a)(1)(A-D) shall occur before *September 19, 2008*;

4. Counsel and parties with full settlement authority are ordered to appear *on October 6, 2008 at 2:00 p.m.* in the chambers of United States Magistrate Judge William McCurine, Jr., 940 Front Street, Courtroom C, San Diego, California, 92101, for a Case Management Conference pursuant to Federal Rule of Civil Procedure 16(b). **Full authority to settle means that the individual present at the settlement conference has the unfettered discretion and authority to: 1) fully explore settlement options and to agree at that time to any settlement options; 2) agree at that time to any settlement terms acceptable to the parties; 3) change the settlement position of a party; and 4) negotiate monetary awards without being restricted to a specific sum certain.**

Failure of any counsel or party to comply with this Order will result in the imposition of sanctions.

IT IS SO ORDERED.

DATED: August 6, 2008



Hon. William McCurine, Jr.
U.S. Magistrate Judge
United States District Court